



PATENT
Attorney Docket No. 25734

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

POPP

Serial No.: 10/698,431

Filing Date: November 3, 2003

For: **ANTIMICROBIAL SHAMPOO COMPOSITIONS**

TRANSMITTAL LETTER

Commissioner for Patents
Washington, D.C. 20231

Sir:

Submitted herewith for filing in the U.S. Patent and
Trademark Office is the following:

- 1) Transmittal Letter;
- 2) Information Disclosure Statement;
- 3) PTO-Form 1449 citing Sixty-One (61) References; and
- 4) Twenty-one (21) Cited References.

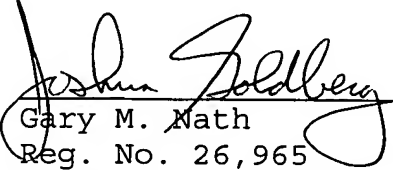
The Commissioner is specifically authorized to charge any required fee deficiency under 37 CFR §§ 1.16 or 1.17, or credit any overpayment, to Deposit Account No. 14-0112 in connection with this matter.

Respectfully submitted,

NATH & ASSOCIATES PLLC

Date: February 4, 2004
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INFORMATION DISCLOSURE STATEMENT

Commissioner of Patents
Washington, D.C. 20231

Sir:

An Information Disclosure Statement is submitted herewith pursuant to 37 C.F.R. § 1.97-1.98. Please note the following particulars:

[NOTE: One only of items a, b, c, and d must be checked.]

[X] a. The enclosed statement is being filed within three months of the filing date of a national application, or within three months of the date of entry into the national stage as set forth in 37 C.F.R. § 1.491 in an international application, or before the mailing date of a first Office Action on the merits, whichever event occurs last.

[] b. The enclosed statement is being filed after a first action on the merits but before the mailing date of a final action under 37 C.F.R. § 1.113, or a notice of allowance under 37 C.F.R. § 1.311.

The enclosed statement is accompanied by [check one]:

[] i. a certification in part (e) below as specified in 37 C.F.R. § 1.97(e), or

[] ii. a check in the amount required by 37 C.F.R. § 1.17(p).

[] c. The enclosed statement is being filed after the mailing date of a final action under 37 C.F.R. § 1.113, or a notice of allowance under 37 C.F.R. § 1.311, but before payment of the issue fee.

[] Certification report(e) below; and

[] a check in the amount as required by § 1.17(p).

[] d. The enclosed statement is being filed pursuant to 37 C.F.R. § 1.97(i), for placement in the file.

☐ e. Certification [Check one] [Certification is required only if box (b)(i) or box (c) is checked.]

☐ I hereby certify that each item of information contained in the enclosed Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement,

or

☐ I hereby certify that no item of information in the enclosed Information Disclosure Statement herewith was cited in a communication from a foreign patent office in a counterpart foreign application, or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

or

☐ Appropriate certification is attached.

☒ f. If no check is enclosed and a fee is due in connection with this communication or if the check enclosed is insufficient, the Commissioner is specifically authorized to charge any fee or additional fee due in connection with this communication to Deposit Account No. 14-0112.

☒ g. Copies of the non-U.S. patent documents are attached herewith with a completed Form PTO-1449.

or

☐ Copies of the documents are not attached as allowed under CFR § 1.98(d)(1)(2). The earlier application is identified as:

The Examiner is respectfully requested to cite the documents listed on the attached Form PTO-1449 in the next Office Action. In so doing, the Examiner is respectfully requested to initial in the space adjacent to the listing of each document on the Form PTO-1449, and return a copy of the initialed Form PTO-1449 with the next communication to Applicants, to confirm that these documents have been considered by the Examiner and made of record in this application.

If the Examiner has any questions or wishes to discuss this application, kindly telephone the undersigned at the below-listed number.

Respectfully submitted,
NATH & ASSOCIATES PLLC

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Customer No. 20529



FORM PTO-1449

INFORMATION DISCLOSURE CITATION

Atty. Docket
25734

Serial No.
10/698,431

Applicant

POPP

Filing Date
November 3, 2003

Group Art Unit
n/a

U.S. PATENT DOCUMENTS

Examiner Initial		Document Number	Issue Date	Name	Class	Sub-Class	Filing Date
	AA	4,185,106	01/22/80	Dittmar et al.			08/15/75
	AB	4,711,775	12/08/87	Dittmar et al.			12/04/84
	AC	4,736,756	04/12/88	Grollier et al.			09/18/85
	AD	5,174,475	12/29/92	Day et al.			03/26/91
	AE	5,470,880	11/28/95	Yu et al.			01/10/94
	AF	5,487,884	01/30/96	Bissett et al.			07/01/93
	AG	5,665,364	09/09/97	McAtee et al.			07/24/95
	AH	5,665,776	09/09/97	Yu et al.			01/22/93
	AI	5,919,438	07/06/99	Saint-Leger			04/15/97
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	AK	6,121,254	09/19/00	Saint Leger			09/19/00
	AL	6,207,694	03/27/01	Murad			07/27/98
	AM	6,231,875	05/15/01	Sun et al.			03/09/99
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	AAD	2002/0064541	05/30/02	Lapidot et al.			10/23/01
	AAE	2002/0168327	11/14/02	Bailey et al.			02/26/02
	AAF	2002/0172719	11/21/02	Murad			03/11/02
	AAG	2003/0007939	01/09/03	Murad			02/20/02
Examiner				Date Considered			



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n/aU.S. PATENT DOCUMENTS

Examiner Initial		Document Number	Issue Date	Name	Class	Sub-Class	Filing Date
	BA	2003/0069148	04/10/03	Booker et al.			09/17/01
	BB	2003/0108507	06/12/03	Clipson et al.			10/18/02
	BC	2003/0118655	06/26/03	Kundel			12/21/01
	BD	2003/0125224	07/03/03	Seitz, Jr. et al.			07/10/02
	BE	2003/0133899	07/17/03	Fan et al.			12/16/02
	BF	2003/0134759	07/17/03	Geary et al.			11/01/02
	BG	2003/0228340	12/11/03	Gans			04/04/03
	BH						
	BI						

FOREIGN PATENT DOCUMENTS

		Document Number	Date	Country	Class	Sub-Class	Translation
	BJ	EP 0,217,635 A1	04/08/87	EPO			Yes
	BK	EP 0,312,234 A1	04/19/89	EPO			Yes
	BL	EP 0,347,199 B1	09/09/92	EPO			Yes
	BM	EP 0,771,187 B1	10/28/98	EPO			Yes
	BN	EP 0,928,183 B1	12/05/01	EPO			Yes
	BO	EP 0,928,193 B1	06/12/02	EPO			Yes
	BP	EP 1,282,390 A1	11/15/01	EPO			Yes
	BQ	EP 1,312,356 A1	05/21/03	EPO			Yes
	BR	EP 1,329,212 A1	07/23/03	EPO			Yes
	BS	CA 2,285,368 A1	10/98/98	Canada			Yes
	BT	CA 2,294,804 A1	11/26/98	Canada			Yes
	BU	CA 2,351,925 A1	12/27/01	Canada			Yes
	BV	CA 2,421,787 A1	02/04/03	Canada			Yes
	BW	CA 2,426,683 A1	05/02/02	Canada			Yes
	BX	FR 2,685,867 A1	07/09/93	France			Yes
	BY	FR 2,694,694 A1	02/18/94	France			Yes

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	BZ		Schoefer, "Therapy for seborrheic eczema in HIV infection", Forschung und Praxis, Jan. 1990, 98F, p. 3.
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Examiner

Date Considered

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n/a

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

CA

Schneider, "Sun, Sweating and a Fungus Can Give Rise to Pityriasis versicolor", Aerzte-Zeitung, May 1996, 15(94).

CB

Hanel et al., "Treatment of seborrheic eczema using an antimycotic with antiphlogistic properties", Mycoses, Aug. 1991, 34 Suppl. 1, pp. 91-93.

CC

Cullen et al., "Treatment of Tinea Versicolor with a New Antifungal Agent, Ciclopirox Olamine Cream 1%", Clin. Ther., 1985, 7(5), pp. 574-583.

CD

Jue et al., "Ciclopirox Olamine 1% Cream A Preliminary Review of its Antimicrobial Activity and Therapeutic Use", Drugs, 1985, 29, pp. 330-341.

CE

CF

CG

CH

CI

Examiner

Date Considered